

1888, ch. 389, 25 Stat. 182. That Department was placed under the jurisdiction and made a part of a new department, called the Department of Commerce and Labor, by act Feb. 14, 1903, ch. 552, § 4, 32 Stat. 827. The name Department of Labor was changed to Bureau of Labor by act Mar. 18, 1904, ch. 716, 33 Stat. 136. The present Department of Labor was created by act Mar. 4, 1913. The Bureau of Labor in the Department of Commerce and Labor was transferred to the present Department of Labor by said act.

ORDER OF SUCCESSION

For order of succession during any period when both Secretary and Deputy Secretary of Labor are unable to perform functions and duties of office of Secretary, see Ex. Ord. No. 13245, Dec. 18, 2001, 66 F.R. 66268, set out as a note under section 3345 of Title 5, Government Organization and Employees.

COMPENSATION OF SECRETARY

Compensation of Secretary, see section 5312 of Title 5, Government Organization and Employees.

§ 552. Deputy Secretary; appointment; duties

There is established in the Department of Labor the office of Deputy Secretary of Labor, which shall be filled by appointment by the President, by and with the advice and consent of the Senate. The Deputy Secretary shall perform such duties as may be prescribed by the Secretary of Labor or required by law. The Deputy Secretary shall (1) in case of the death, resignation, or removal from office of the Secretary, perform the duties of the Secretary until a successor is appointed, and (2) in case of the absence or sickness of the Secretary, perform the duties of the Secretary until such absence or sickness shall terminate.

(Apr. 17, 1946, ch. 140, § 1, 60 Stat. 91; Pub. L. 99-619, § 2(a)(1), Nov. 6, 1986, 100 Stat. 3491.)

CODIFICATION

Provisions of this section which prescribed the basic annual compensation of the Under [Deputy] Secretary were omitted to conform to the provisions of the Executive Schedule. See section 5314 of Title 5, Government Organization and Employees.

Section was formerly classified to section 611a of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, § 1, Sept. 1, 1966, 80 Stat. 378.

AMENDMENTS

1986—Pub. L. 99-619 substituted “Deputy Secretary” for “Under Secretary” in three places.

TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees, and agencies of Department of Labor, with certain exceptions, to Secretary of Labor, with power to delegate, see Reorg. Plan No. 6, of 1950, §§ 1, 2, 15 F.R. 3174, 64 Stat. 1263, set out in the Appendix to Title 5, Government Organization and Employees.

REFERENCES IN OTHER LAWS

Section 2(a)(4) of Pub. L. 99-619 provided that: “Any reference to the Under Secretary of Labor in any law, rule, regulation, certificate, directive, or other document in force on the date of enactment of this Act [Nov. 6, 1986] shall be deemed to refer and apply to the Deputy Secretary of Labor.”

PRESENT INCUMBENT

Section 2(f)(1) of Pub. L. 99-619 provided that: “The incumbent in the position of Under Secretary of Labor

on the date of enactment of this Act [Nov. 6, 1986] may serve as Deputy Secretary of Labor at the pleasure of the President after such date and the amendments made by subsection (a)(2) [amending section 5313 of Title 5, Government Organization and Employees] shall apply to such incumbent.”

ORDER OF SUCCESSION

For order of succession during any period when both Secretary and Deputy Secretary of Labor are unable to perform functions and duties of office of Secretary, see Ex. Ord. No. 13245, Dec. 18, 2001, 66 F.R. 66268, set out as a note under section 3345 of Title 5, Government Organization and Employees.

§ 553. Assistant Secretaries; appointment; duties

There are established in the Department of Labor nine offices of Assistant Secretary of Labor, which shall be filled by appointment by the President, by and with the advice and consent of the Senate. Each of the Assistant Secretaries of Labor shall perform such duties as may be prescribed by the Secretary of Labor or required by law. One of such Assistant Secretaries shall be an Assistant Secretary of Labor for Occupational Safety and Health.

(Apr. 17, 1946, ch. 140, § 2, 60 Stat. 91; Pub. L. 87-137, § 1, Aug. 11, 1961, 75 Stat. 338; Pub. L. 91-596, § 29(a), Dec. 29, 1970, 84 Stat. 1618; Pub. L. 99-619, § 2(b)(1), Nov. 6, 1986, 100 Stat. 3491.)

CODIFICATION

Provisions of this section which prescribed the basic annual compensation of the Assistant Secretaries were omitted to conform to the provisions of the Executive Schedule. See section 5315 of Title 5, Government Organization and Employees.

Section was formerly classified to section 611b of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, § 1, Sept. 1, 1966, 80 Stat. 378.

AMENDMENTS

1986—Pub. L. 99-619 substituted “nine offices” for “five offices”.

1970—Pub. L. 91-596 increased the number of Assistant Secretaries of Labor from four to five and inserted provision that one of such Assistant Secretaries be an Assistant Secretary of Labor for Occupational Safety and Health.

1961—Pub. L. 87-137 increased the number of Assistant Secretaries of Labor from three to four.

EFFECTIVE DATE OF 1970 AMENDMENT

Amendment by Pub. L. 91-596 effective 120 days after Dec. 29, 1970 see section 34 of Pub. L. 91-596, set out as an Effective Date note under section 651 of this title.

TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees, and agencies of Department of Labor, with certain exceptions, to Secretary of Labor, with power to delegate, see Reorg. Plan No. 6, of 1950, §§ 1, 2, 15 F.R. 3174, 64 Stat. 1263, set out in the Appendix to Title 5, Government Organization and Employees.

REFERENCES IN OTHER LAWS

Section 2(b)(3) of Pub. L. 99-619 provided that: “Any reference in any law, regulation, certificate, directive, or other document to the Assistant Secretary of Labor for Veterans’ Employment in force on the date of enactment of this Act [Nov. 6, 1986] shall be deemed to be a reference to the Assistant Secretary of Labor for Veterans’ Employment and Training.”

PRESENT INCUMBENT

Section 2(f)(2) of Pub. L. 99-619 provided that: “The incumbent in the position of Assistant Secretary of